

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	PARMA <i>ET AL.</i>)	EXAMINER: SHIN, DANA H.
SERIAL NO.:	10/705,300)	ART UNIT: 1635
FILED:	NOVEMBER 10, 2003)	CONF. NO.: 8392
TITLE:	HIGH AFFINITY NUCLEIC ACID LIGANDS TO LECTINS)	CUST. NO.: 25871

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY

Dear Sir:

An Office Action was mailed in the above-captioned application on June 12, 2007, a response was filed on December 12, 2007 and a "Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" (referred to herein as "Notice to Comply") was mailed on January 24, 2008. This document is submitted in response to said Notice to Comply. Applicant respectfully requests that the Sequence Listing filed with the application be replaced with the electronic copy of Sequence Listing included with this document submitted under 37 C.F.R. § 1.821(e).

In said Notice to Comply the Examiner noted that the newly submitted claims contain a new nucleic acid sequence of SEQ ID NO: 391, which was not included in the sequence listing as filed. As detailed in the Amendment and Remarks document filed on December 12, 2007, Applicant maintains that the new nucleic acid sequence SEQ ID NO: 391 set forth in new claims 75, 81 and 87 is fully supported by the instant Specification. More specifically, SEQ ID NO: 391 is supported by Examples 27 and 34 (pages 65-66 and 72), which describes the post-SELEX synthesis of 2'-OMe modified nucleic acid ligands. As described in Example 34 "up to 15 positions may be substituted with only slight losses in affinity."

On this basis, Applicant takes the position that the sequence listing submitted herein contains no new matter (37 C.F.R. § 1.821(g)).

This constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date March 6, 2008

/Rosemary Kellogg/
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